

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

United States of America

v.

Megan Terrrance Ramon White

Crim. No. 4:05-cr-01127-TLW-1

Order

Defendant has filed a motion in which he asserts that his sentence should be reduced because his prior conviction for ABHAN no longer counts as a predicate conviction for career offender purposes in light of *United States v. Hemingway*, 734 F.3d 323 (4th Cir. 2013). ECF No. 82. He is not entitled to relief in this matter, as the Fourth Circuit has recently made clear that an erroneous application of the sentencing guidelines, including a career offender designation, is not cognizable on collateral review. See *United States v. Foote*, 784 F.3d 931, 936 (4th Cir. 2015). Therefore, his motion for sentence reduction, ECF No. 82, is **DENIED**.

IT IS SO ORDERED.

s/ Terry L. Wooten

Terry L. Wooten
Chief United States District Judge

January 29, 2016
Columbia, South Carolina